Exhibit J

UNITED STATES PATENT AND TRADEMARK OFFICE

OFFICE OF THE GENERAL COUNSEL

August 7, 2018

VIA U.S. MAIL
RETURN RECIPT REQUESTED

Andrew Grossman
Baker & Hostetler LLP
Washington Square
1050 Connecticut Avenue, N.W., Suite 1100
Washington, DC 20036-5403

RE: ***Freedom of Information Act Appeal No. A-18-00011 (Appeal of Request No. FP-18-00014)***

Dear Mr. Grossman:

This determination responds to your appeal to the United States Patent and Trademark Office ("USPTO" or "Agency") of the USPTO's initial determination in connection with your Freedom of Information Act ("FOIA") Request No. FP-18-00014. Your appeal, dated July 9, 2018, and received by the Agency on July 10, 2018, has been docketed as FOIA Appeal No. A-18-00011.

FOIA Request and Response

On February 12, 2018, you submitted a FOIA request by email. You stated that the request was made on behalf of your client, Gilbert P. Hyatt. The request identified eight categories of documents to be produced. The Agency acknowledged receipt of the request on the day it was received, February 12, 2018.

A phone conversation between you and the Agency's FOIA Officer on February 26, 2018, along with a related email from you on March 8, 2018, resulted in an agreement that the Agency would begin processing of the request by providing a fee estimate for just the first paragraph of the request. On March 13, 2018, the FOIA Officer advised you that the estimate for processing the first paragraph of the request was $3,029,782.00.

You and the FOIA Officer held another discussion concerning the request on April 11, 2018, which resulted in an agreement that you would make an effort to narrow the request. Following that conversation, you requested additional information about the fee estimate. The FOIA Officer responded to that request on April 17, 2018, explaining the basis for the fee estimate provided on March 13, 2018.

On April 27, 2018, you submitted a letter in which you provided what you described as a "narrowing" of the first paragraph of the original request to allow the Agency to "provide a final fee estimate." The amended request sought:

> All records concerning Mr. Hyatt or his patent applications created by, sent by, or received by (a) Diego Gutierrez during 2012 and 2013 or (b) Gregory Morse from and including 2013 through 2018, excluding (1) email attachments, (2) documents contained in the file history of Mr. Hyatt's applications, and (3) drafts of documents contained in the file histories of Mr. Hyatt's applications.

Immediately following that narrowed request, you apparently included, without explanation, another request: "Copies of all Performance Appraisal Plans for, and signed by, Examiner Walter Briney for fiscal years 2013, 2014, 2015, 2016, 2017, and 2018." In that letter, you also withdrew the remaining seven subparts of your original request.

Your April 27, 2018, letter included a request for a fee waiver ("Fee Waiver Request"). The FOIA Officer denied that request on May 25, 2018 ("Fee Waiver Denial").

Appeal

On July 9, 2018, you submitted an appeal of the denial of your fee waiver request. In your appeal, you dispute each of the conclusions reached by the FOIA Officer. In essence, you argue that the documents requested are of significant interest to the public and that Mr. Hyatt's interest in the documents is not primarily commercial.

Request for Performance Appraisal Plans

As noted, in your letter of April 27, 2018, you submitted what you described as a narrowed version of the first paragraph of the original request. Following that, you included a request for the performance appraisal plans for a USPTO employee. Comparing that request to the original request submitted on February 12, 2018, I conclude that it cannot be construed as relating to the original request. Therefore, I consider the request for the performance appraisal plans to be a new request.

However, because you have appended that new request to the amended request, it is also subject to the fee waiver discussion surrounding the amended request. As discussed at length below, I am denying your fee waiver request. The FOIA Officer will therefore contact you shortly regarding how to proceed with the two requests included in your letter of April 27, 2018.

Fee Waiver

The FOIA provides for the charging of "fees applicable to the processing of requests." 5 U.S.C. § 552(a)(4)(A)(i). That section also directed the U.S. Office of Management and Budget ("OMB") to promulgate guidelines concerning FOIA fees, which it has done in its Uniform Freedom of Information Act Fee Schedule and Guidelines ("OMB Fee Guidelines"). 52 Fed. Reg. 10,012 (Mar. 27, 1987). The section also directs Federal agencies to promulgate regulations concerning FOIA fees. The USPTO has done so at 37 C.F.R. § 102.11.

Applicability of Fee Requirement

Consistent with the FOIA and the OMB Fee Guidelines, USPTO regulations require that search, duplication and review fees will be charged for all requests other than requests made by educational institutions, noncommercial scientific institutions, or representatives of the news media. 37 C.F.R. § 102.11(c)(3)(i). Though you have argued that Mr. Hyatt intends to make the requested records available to the public, you have not argued, and I do not find, that Mr. Hyatt is a representative of the news media. As there is no suggestion that Mr. Hyatt represents an educational or scientific organization, the FOIA Officer correctly concluded that Mr. Hyatt's request was subject to the fee requirement.

Fee Waiver Requirements

The next question presented is whether Mr. Hyatt is entitled to a fee waiver. Under 37 C.F.R. § 102.11(k), analyzing a fee waiver request entails determining whether the requestor has demonstrated that:

(i) Disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the Government; and

(ii) Disclosure of the information is not primarily in the commercial interest of the requester.

See also 5 U.S.C. 552(a)(4)(A)(iii). "The requestor bears the initial burden of proving both prongs." *Schoenman v. FBI*, 604 F. Supp. 2d 174, 188 (D.D.C. 2009). However, Congress intended the FOIA to be "liberally construed in favor of waivers for noncommercial requestors." *McClellan Ecological Seepage Situation v. Carlucci*, 835 F.2d 1282, 1284 (9th Cir. 1987).

First Requirement

The first requirement for a fee waiver requires contains four elements:

(i) The subject of the request.

(ii) The informative value of the information to be disclosed.

(iii) The contribution to an understanding of the subject by the public likely to result from disclosure.

(iv) The significance of the contribution to public understanding.

37 C.F.R. § 102.11(k)(2).

The first of the elements examines to what extent the requested documents concern the operations of the USPTO. The documents "must concern identifiable operations or activities of the Federal Government, with a connection that is direct and clear, not remote or attenuated." *Id.*

The FOIA Officer did not address this element in denying your fee waiver request, and you argue that the requested documents "indisputably" do concern USPTO operations. I am less confident. It is clear from the appeal and the supporting documentation that Mr. Hyatt seeks information that might support allegations of misconduct on the part of USPTO employees rather than Agency operations. As one example, in your initial fee waiver request, you stated, "Mr. Hyatt seeks to ascertain the extent and details of the violation of his constitutional and statutory rights by the PTO and PTO personnel." Fee Waiver Request at 3. Reviewing the supporting documentation, that is clearly the position you have taken in litigation against the Agency. While such documentation might be important to Mr. Hyatt's interests, it would not necessarily reflect on the operations of the Agency. However, I anticipate that there is a reasonable likelihood that responsive documents would describe, to a greater or lesser extent, the operations of the USPTO whether that is what Mr. Hyatt seeks or not. In light of the Department of Justice's assessment that "in most cases records possessed by a federal agency will meet this threshold," I will assume without deciding that this first element is satisfied. Dep't of Justice Guide to Freedom of Information Act, 2016 Edition: Fees and Waivers ("DOJ FOIA Guide") at 27, (July 2016), available at https://www.justice.gov/oip/doj-guide-freedom-information-act-0 (last visited August 2, 2018).

In assessing the second element, the informative value of the information requested, USPTO's regulation requires me to consider "whether the disclosure is 'likely to contribute' to an understanding of Government operations or activities." 37 C.F.R. § 102.11(k)(2). The requested documents "must be meaningfully informative." *Id.*

The FOIA Officer concluded that you had failed to establish this element because "Mr. Hyatt's request, on its face, concerns only (a) Mr. Hyatt and (b) Mr. Hyatt's patent applications." Fee Waiver Denial at 2. In the appeal, you responded that Mr. Hyatt's patent applications "are themselves a government activity of public interest." Appeal at 3. I find that both positions are conclusory and lacking in the required specificity. *See Cause of Action v. FTC*, 799 F.3d 1108, 1117 (D.C. Cir. 2015); *Larson v. CIA*, 843 F.2d 1481, 1483 (D.C. Cir.1988).

The issue here is whether the requested documents are likely to contribute to an understanding of the USPTO's activities. As noted, you argue throughout the appeal and the supporting documents that the documents are sought to prove violations of Mr. Hyatt's legal rights. I have already expressed my doubts about whether any such information uncovered in the requested documents would inform the public on the operations of the USPTO; seemingly, they would instead demonstrate instances in which USPTO employees were not complying with Agency requirements. However, I conceded, what was reasonably likely to result from the documents was some information on USPTO operations, whether desired or not.

You have, however, not explained how the requested documents – records concerning Mr. Hyatt or his patent applications created by, sent by, or received by Diego Gutierrez and Gregory Morse – might inform the public either on USPTO operations or on misconduct by USPTO personnel. On the later point, I note that you have not accused either employee of any malfeasance much less drawn any connection between this request and any such conduct. In fact, the only information I could discern in the thousand or so pages of documents you provided with the

appeal is a description in Mr. Hyatt's declaration where he explains that the two were supervisors of the art unit charged with adjudicating his complaints. Appeal Ex. BB at 7.

The amended request excludes otherwise responsive documents contained in the file history of Mr. Hyatt's applications. As you are aware, the official record of the adjudication of a patent application is that file history. You have failed to explain how documents created by, sent by, or received by Mr. Gutierrez and Mr. Morse, not contained in the official file, could be meaningfully informative concerning USPTO operations or violations of Mr. Hyatt's legal rights.

The argument you present in the appeal is, effectively, that it is self-evident that the requested documents would contribute to an understanding of USPTO activities. I do not agree. As I indicated, I find that argument to conclusory and lacking in specificity. Therefore, I conclude that you have not demonstrated that the requested documents are likely to contribute to an understanding of USPTO activities. *See Cause of Action*, 799 F.3d at 1117; *Judicial Watch, Inc. v. Rossotti*, 326 F.3d 1309, 1311 (D.C. Cir. 2003); *Judicial Watch, Inc. v. Dep't of Justice*, 185 F. Supp. 2d 54, 60 (D.D.C. 2002).

The third element of this first requirement requires consideration of the contribution to an understanding of the subject by the public likely to result from disclosure. USPTO's fee waiver regulation requires me to consider "whether disclosure of the requested information will contribute to the understanding of a reasonably broad audience of persons interested in the subject, as opposed to the individual understanding of the requester." 37 C.F.R. § 102.11(k)(2)(iii).

In your appeal, you assert that the requested documents are "necessarily relevant broadly." Appeal at 3. You reason that this is true because "USPTO officials have offered sworn testimony that it purports to have treated the applications under the same policies and rules that it applied to other applicants." *Id.* As support for this assertion, you cite to 2017 deposition testimony from an Agency employee who states that Mr. Hyatt's patent applications were processed under the same guidance that all other patent applications are processed under. *Id.* I understand, therefore, that you are arguing that the processing of Mr. Hyatt's applications is illustrative of patent adjudication generally, a subject in which a reasonably broad audience is interested.

As indicated above, I conclude from the appeal and the supporting documentation that Mr. Hyatt's interest in the requested documents is his belief that they will show that the Agency did *not* properly process Mr. Hyatt's applications. The significance, importance or value of the information to Mr. Hyatt is not at issue here. The question is whether, in your fee waiver request, you have demonstrated that there is a broader interest in the documents beyond Mr. Hyatt. I can imagine that, should these documents support Mr. Hyatt's allegations, they might inform the public more generally, depending on the nature of the misconduct revealed. But, I conclude, especially in light of the fact that you have not alleged any misconduct on the part of Mr. Gutierrez or Mr. Morse, that it is unlikely that the requested documents would reveal Agency misconduct that would be of interest to a reasonably broad audience of persons.

Moreover, as noted, I must consider "whether the requester will disseminate the disclosed records to a reasonably broad audience of persons interested in the subject." *Carney v. U.S. Dep't of Justice*, 19 F.3d 807, 815 (2nd Cir. 1994). *See also Cause of Action*, 799 F. 3d at 1116. In your discussion of this element, you address at length an argument that Mr. Hyatt will make the documents he has requested available on an internet website associated with the American Center for Equitable Treatment ("ACET"). Appeal at 4. However, you have not demonstrated that the information will be published on the ACET website. Mr. Hyatt describes ACET as "a non-profit corporation with which I am affiliated as a member." Appeal Ex. BB at 8. There is no indication that, as a member, Mr. Hyatt controls the content of that website. There is also no evidence that, once the documents were made available to ACET, the organization would choose to publish some or all of them or to publish an analysis of them. At 37 C.F.R. § 120.11(k)(2)(iii), USPTO's regulation on FOIA fees states: "It shall be presumed that a requester who merely provides information to media sources does not satisfy this consideration." You have not rebutted that presumption as it applies to ACET.

You take issue with the FOIA Officer's reliance on the observation that you have provided "no information about how many people have viewed materials on the website." Fee Waiver Denial at 3. You argue that ACET is not a single-issue website and that two of its blog entries are broadly interesting to the public. Appeal at 4-5. You do not, however, respond to the FOIA Officer's point. The fact that information might be placed on a website does not, by itself, indicate that there is a broad audience for that information. It is appropriate for the Agency to consider the reach of the ACET website. *See Cause of Action*, 799 F.3d at 1116 ("Application of this criterion may well require assessment [of] … the extent of the 'public' that the information is likely to reach."). In light of the fact that this issue was specifically raised by the FOIA Officer in the Fee Waiver Denial but you nonetheless chose not to address it, I conclude that you have not demonstrated that the website reaches a broad audience.

In your appeal, you also discuss articles published on Mr. Hyatt's patent applications, including in *USA Today* and *Patently-O,* in support of your argument that there is public interest in those applications. Appeal at 9. I note that you have provided a number of articles concerning Mr. Hyatt in support of your appeal, particularly at Exhibit GG. However, the issue is whether the *requested documents* are likely to receive a wide audience, not whether Mr. Hyatt's litigation against the USPTO will. You have not argued that they would. Instead, you have again invited me to assume that, since there have been articles in the past, that the documents you have requested will also be the subject of media interest. Again, I find that your argument on this element lacks reasonable specificity or evidentiary support.

The fourth element looks at the "significance" of the contribution to public understanding discussed in the third element. In your appeal, you argue that "the records requested will contribute to public understanding of how the PTO views and exercises its authority in its treatment of disfavored patent applications." Appeal at 4. You also argue that, "absent disclosure, the public will know little to nothing about the management and operation of Art Unit 2615." *Id.* at 8.

The first argument is, again, conclusory and unsupported by any evidence. As for the second argument, the evidence appears to contradict your claim; the record suggests strongly that,

through Mr. Hyatt's efforts, he has amassed considerable information about the operations of Art Unit 2615.

The question here is whether "[t]he public's understanding of the subject in question prior to the disclosure [will] be significantly enhanced by the disclosure." 37 C.F.R. § 102.11(k)(2)(iv). You have not demonstrated that the requested documents will do so. Therefore, I find that that this element also supports denial of the fee waiver request.

I conclude that you have not demonstrated that disclosure of the requested information is in the public interest because it is likely to contribute significantly to public understanding of the operations or activities of the USPTO.

Second Requirement

The second requirement for a fee waiver is that the information sought is not primarily in the commercial interest of the requestor. 37 C.F.R. 102.11(k)(1)(ii). There are two factors to consider in evaluating this requirement. 37 C.F.R. 102.11(k)(3). The first factor is the existence of a commercial interest. 37 C.F.R. 102.11(k)(3)(i). You argue that the request is not primarily in Mr. Hyatt's commercial interest because "the PTO has consistently maintained that any possible bad faith or misconduct on its part in the handling of Mr. Hyatt's is legally irrelevant to their merit and issuance." Appeal at 8. I find your argument irrelevant. The Agency's position in litigation has no bearing on whether you have a commercial interest in the requested documents.

In my view, the issue with respect to this first element is the extent of the relationship between the requested documents and Mr. Hyatt's ongoing litigation against the Agency. However, you have disputed that a litigation interest can constitute a commercial interest, Appeal at 9, so I will address that first.

You are certainly correct that a litigation interest is not *per se* a commercial interest. As you note, the U.S. Court of Appeals for the Ninth Circuit held, in *McClellan,* 835 F.2d at 1285, that "[c]laims for damages do not constitute a commercial interest - at least not when the claims are grounded in tort." And, you are correct that U.S. Court of Appeals for the Seventh Circuit has found that a FOIA request aimed at facilitating a challenge to a criminal conviction is not commercial. *McClain v. U.S. Dep't of Justice,* 13 F.3d 220 (7th Cir.1993).

However, neither *McClellan* nor *McClain* suggests that a litigation interest cannot constitute a commercial interest. At 37 C.F.R. § 102.11(b)(1), the USPTO has defined a "commercial use request" to mean "a request from or on behalf of a person who seeks information for a use or purpose that furthers his or her commercial, trade, or profit interests, which can include *furthering those interests through litigation.*" (Emphasis added.) In *Rozet v. Dep't of Housing and Urban Dev.*, 59 F. Supp. 2d 55 (1999), the U.S. District Court for the District of Columbia found that the FOIA request at issue was related to pending litigation and, because of that, the requestor's interest was commercial. *See also* DOJ FOIA Guide at 3.

OMB requires agencies to "determine the use to which a requestor will put the documents requested." OMB Fee Guidelines at 10,017-18. The U.S. Court of Appeals for District of Columbia Circuit has held that the term "commercial" is to be given its ordinary meaning when read in conjunction with FOIA. *Pub. Citizen Health Research Grp. v. FDA, 704 F.2d 1280, 1290 (1983).* Information is commercial if it relates to "commerce, trade, or profit." *McClellan*, 835 F.2d at 1285. The Agency's definition of a commercial use request addresses documents sought for a use or purpose that furthers his or her commercial, trade, or profit interests. The Agency has concluded that such a use or purpose can include furthering interests through litigation. I believe that definition is consistent both with the OMB Fee Guidelines and a proper understanding of the phrase "commercial interest." I conclude that a litigation interest can constitute a commercial interest, depending upon the circumstances of the specific request.

The FOIA Officer concluded that Mr. Hyatt "currently has several pending lawsuits against the USPTO," a fact that you acknowledge in your appeal. Fee Waiver Denial at 4; Appeal at 9. I note that the record is replete with filings, discovery, and media coverage of what appear to be a complex of cases.

On the other hand, Mr. Hyatt stated in his sworn declaration that he "do[es] not have any commercial interest in the records that are sought by the FOIA request." Appeal Exh. BB at 10. I have considered Mr. Hyatt's statement, but conclude it is not germane to this discussion. Under this element, I am to consider not what Mr. Hyatt intends to do with the documents but "whether the requester has a commercial interest that would be furthered by the requested disclosure." 37 C.F.R. § 102.11(k)(3)(i). The documents provided with the appeal reveal that Mr. Hyatt seeks to compel the USPTO to finally adjudicate a large number of his patent applications that have been pending before the USPTO for a lengthy period. As noted above, the argument and evidence Mr. Hyatt has submitted in the appeal makes clear that his argument rests to some extent on allegations of malfeasance on the part of USPTO employees. The request for these documents appears to be an effort to uncover additional evidence of such malfeasance. It stands to reason that, should the requested documents contain evidence of misconduct by USPTO employees who handled Mr. Hyatt's patent applications, that information would be relevant to Mr. Hyatt's legal strategy against the Agency. Media reports at Exhibit GG to the appeal support what common sense suggests, that Mr. Hyatt stands to benefit financially from the pending applications should they be approved. One report surmises that Mr. Hyatt's patent claims, "[i]f valid and enforceable then we're talking billions of dollars in licensing fees." Appeal Ex. GG at 21.

Based on the file before me, I conclude that Mr. Hyatt has a commercial interest that would be furthered by the requested disclosure.

The second element of this requirement is "whether any identified commercial interest of the requester is sufficiently large, in comparison with the public interest in disclosure, that disclosure is 'primarily in the commercial interest of the requester.'" 37 C.F.R. § 02.11(k)(3)(ii). *See also* 5 U.S.C. 552(a)(4)(A)(iii). The burden is on the requestor to establish that the disclosure of information was in the public interest and was not primarily in his commercial interest. *See National Treasury Employees Union v. Griffin*, 811 F.2d 644, 648 (D.C. Cir. 1987).

As stated, I appreciate Mr. Hyatt's statement that he does not have any commercial interest in the records he seeks. Appeal Exh. BB at 10. And I have considered his further statement that he "intend[s] to inform the public, through publication, about PTO operations and PTO personnel." *Id.* at 7. However, as noted, the record is devoid of any affirmation action on Mr. Hyatt's part to inform the public about USPTO activities. The evidence presented is that he (1) will make information available to a third party, which will independently decide whether to make it available on a website and (2) on occasion is the subject of media interest. Mr. Hyatt repeatedly discusses his intention to inform the public of what he believes to be malfeasance on the part of the USPTO, yet, despite years of litigation against the Agency, there is no evidence that he has done so other than through litigation. I appreciate Mr. Hyatt's testimony that he "intends to publish any records obtained from this FOIA request at" a website "which I have reserved for this purpose." Appeal Ex. BB at 9. However, there remains no evidence that he has done so. Even if Mr. Hyatt has activated the website and begun publishing information, that would not outweigh the significant financial interest that he has in the requested documents.

Next, I return to the overriding consideration in this matter, addressed above: *this* request for a fee waiver concerns *this* request for documents. Your argument tends to be couched in terms of Mr. Hyatt's grievances against the Agency generally rather than this document request. For example, when arguing that Mr. Hyatt will not put the documents to a commercial use, you state that "the PTO improperly dismisses the public interest in the PTO's SAWS program." Appeal at 10. But, there is no evidence or even argument in the record that the requested documents contain any information about the SAWS program. This is a common theme in your appeal. Even if you had established that Mr. Hyatt was engaged in an effort to inform the public about USPTO activities, you have never explained with any specificity how *this* document request would further that goal.

Finally, I emphasize again that this request comes amidst ongoing litigation and that Mr. Hyatt has a significant commercial interest in that litigation. While it may be that Mr. Hyatt does have some interest in exposing what he believes to be wrongdoing at the USPTO, given the extensive evidence to the contrary and applying my own common sense, I do not credit his assertion that he has no commercial interest. *Rozet*, 59 F. Supp. 2d at 57. I conclude that disclosure is primarily in Mr. Hyatt's commercial interest.

For the foregoing reasons, your request for a fee waiver with respect to your amended FOIA request is denied.

Requestor Category

Having concluded that a fee waiver is not appropriate, the final issue before me is to determine the appropriate requestor category for this request. Because Mr. Hyatt does not represent an educational or noncommercial scientific institution or the news media, the issue is reduced to whether Mr. Hyatt is a commercial-use requestor.

The FOIA Officer found that Mr. Hyatt was a commercial-use requestor. Fee Waiver Denial at 4-5. In opposing that conclusion, you focus almost exclusively on a discussion of the SAWS program and Mr. Hyatt's concern that "his applications continue to receive the equivalent of

SAWS treatment continuing to this day." Appeal at 11. As suggested above, I am loathe to dismiss Mr. Hyatt's sworn statements that he does not seek the requested documents for commercial purposes, but I find this argument concerning "SAWS treatment," along with much else in the record as I have noted, to be at odds with Mr. Hyatt's statements.

As noted, OMB has directed me to "determine the use to which a requestor will put the documents requested." OMB Fee Guidelines at 10,018. As discussed, I am confident that Mr. Hyatt is not requesting the documents for the benefit of the public. Having reviewed the voluminous record in detail, I conclude that the documents are sought for the purpose of gathering additional evidence in support of Mr. Hyatt's allegations against the USPTO. The record demonstrates that Mr. Hyatt's preferred venue for pursuing his allegations is litigation. To all appearances, Mr. Hyatt has a significant financial in his litigation against the Agency. I have agreed that a commercial interest "can include furthering those interests through litigation." DOJ FOIA Guide at 3. Therefore, I conclude that, for the purpose of the FOIA request before me, Mr. Hyatt is a commercial-use requestor.

Final Decision and Appeal Rights

This is the final decision of the United States Patent and Trademark Office with respect to your appeal. You have the right to seek judicial review of this fee waiver denial as provided in 5 U.S.C. § 552(a)(4)(B). Judicial review is available in the United States District Court for the district in which you reside or have a principal place of business, the United States District Court for the Eastern District of Virginia, or the United States District Court for the District of Columbia.

Additionally, as part of the 2007 FOIA amendments, the Office of Government Information Services (OGIS) was created to offer mediation services to resolve disputes between FOIA requesters and Federal agencies as a non-exclusive alternative to litigation. Using OGIS services does not affect your right to pursue litigation. If you are requesting access to your own records (which is considered a Privacy Act request), you should know that OGIS does not have the authority to handle requests made under the Privacy Act of 1974. You may contact OGIS in any of the following ways:

Office of Government Information Services
National Archives and Records Administration
Room 2510
8601 Adelphi Road
College Park, MD 20740-6001
E-mail: ogis@nara.gov
Telephone: 301-837-1996
Facsimile: 301-837-0348
Toll-free: 1-877-684-6448

Sincerely,

David Shewchuk
Deputy General Counsel for General Law
Office of the General Counsel